

**ORIGINAL**

**OFFICIAL FILE  
ILLINOIS COMMERCE COMMISSION**

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

ENRON ENERGY SERVICES, INC.

Petitioners,

v.

ILLINOIS COMMERCE COMMISSION

Respondents.

:  
: Petition for review of April  
: 27, 2000 Order of Illinois  
: Commerce Commission  
: In Docket 00-0259  
:  
: Dkt. No. \_\_\_\_\_

CHIEF CLERK'S OFFICE

JUL 3 9 20 AM '00

ILLINOIS  
COMMERCE COMMISSION

NOTICE OF APPEAL

TO: Donna Caton, Chief Clerk  
Illinois Commerce Commission  
527 E. Capitol Avenue  
Springfield, IL 62701

THE ILLINOIS COMMERCE COMMISSION IS HEREBY NOTIFIED THAT Enron Energy Services, Inc., as Respondent in the proceeding entitled "Petition for Expedited Approval of Implementation of a Market-Based Alternative Tariff, to Become Effective on or before May 1, 2000, pursuant to Article IX and Section 16-112 of the Public Utilities Act," docketed as No. 00-0259, has been adversely affected by the Order entered by the Illinois Commerce Commission in said Docket No. 00-0259 on April 27, 2000. Accordingly, said party herewith gives notice of its appeal for said Order; pursuant to the provisions of Section 10-201 of the Illinois Public Utilities Act (220 ILCS 5/10-201) and state further:

1. On May 12, 2000 said parties duly filed with the Illinois Commerce Commission an Application for Rehearing of the April 27, 2000 Order.

2. The Illinois Commerce Commission refused to grant said Application for Rehearing on June 1, 2000 and has failed to take any further action on said Application for Rehearing pursuant to the provisions of Section 10-113 of the Public Utilities Act of Illinois. (220 ILCS 5/10-113).

WHEREFORE, Enron Energy Services, Inc. is appealing the April 27, 2000 Order of the Illinois Commerce Commission in Docket No. 00-0259 to the Illinois Appellate Court, Fourth District, for the purpose of having the reasonableness and lawfulness of same inquired into and determined.

DATED this 30th day of June, 2000..

ENRON ENERGY SERVICES, INC.

By: David I. Fein  
Christopher J. Townsend  
David I. Fein  
Piper Marbury Rudnick & Wolfe  
203 N. LaSalle Street, Suite 1800  
Chicago, Illinois 60601-1293  
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STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

ENRON ENERGY SERVICES, INC.

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COMMERCE COMMISSION  
JUL 3 9 20 AM '00  
CHIEF CLERK'S OFFICE

NOTICE OF FILING OF NOTICE OF APPEAL

TO: All Parties on the Attached Service List

TAKE NOTICE that on the 30th day of June, 2000, the attached Notice of Appeal will be filed with the Clerk of the Illinois Commerce Commission, 527 E. Capitol Avenue, Springfield, Illinois, 62701, on behalf of Enron Energy Services, Inc. in said Docket 00-0259. A copy of the Notice of Appeal is hereby served upon you, and each of you, pursuant to the provisions of Section 10-201 of the Illinois Public Utilities Act (220 ILCS 5/10-201).

ENRON ENERGY SERVICES, INC.

By: David I. Fein

Christopher J. Townsend

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david.fein@piperrudnick.com

christopher.townsend@piperrudnick.com

NO. \_\_\_\_\_  
IN THE APPELLATE COURT OF ILLINOIS  
FOR THE FOURTH APPELLATE DISTRICT

ENRON ENERGY SERVICES, INC.

:  
: Petition for review of April  
: 27, 2000 Order of Illinois  
: Commerce Commission  
: In Docket 00-0259

Petitioners,

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v.

ILLINOIS COMMERCE COMMISSION

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COMMERCE COMMISSION  
JUN 3 9 20 AM '00  
CHIEF CLERK'S OFFICE

PETITION FOR REVIEW

Pursuant to Section 10-201 of the Illinois Public Utilities Act (the "Act"), 220 ILCS 5/10-201) and Supreme Court Rule 335, Enron Energy Services, Inc. hereby petitions the Court for review of the Order of the Illinois Commerce Commission in re Commonwealth Edison Company; Petition for expedited approval of implementation of a market-based alternative tariff, to become effective on or before May 1, 2000, pursuant to Article IX and Section 16-112 of the Public Utilities Act entered on April 27, 2000 in Illinois Commerce Commission Docket No. 00-0259.

Notice of the subject appeal was filed with the Illinois Commerce Commission on the 30th day of June, 2000. A copy of same with proof of service thereof is attached hereto as Exhibit A.

DATED this 30th day of June, 2000.

ENRON ENERGY SERVICES, INC.,

By: David I. Fein  
Christopher J. Townsend  
David I. Fein  
Piper Marbury Rudnick & Wolfe  
203 N. LaSalle Street, Suite 1800  
Chicago, Illinois 60601-1293  
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david.fein@piperrudnick.com  
christopher.townsend@piperrudnick.com

ATTACHMENT A

COMMONWEALTH EDISON COMPANY;  
A. FINKL & SONS, ABBOTT LABORATORIES, INC;  
CATERPILLAR INC;  
DAIMLER CHRYSLER CORPORATION;  
FORD MOTOR COMPANY;  
MODERN DROP FORGE COMPANY, INC;  
MONSANTO COMPANY;  
MOTOROLA, INC;  
NABISCO BRANDS, INC;  
NORTHWESTERN STEEL & WIRE COMPANY;  
OWENS-ILLINOIS, INC;  
R.R. DONNELLEY & SONS;  
VISKASE CORPORATION;  
PEOPLES ENERGY SERVICES, INC;  
NICOR ENERGY L.L.C.;  
NEW ENERGY MIDWEST L.L.C.;  
MIDWEST INDEPENDENT POWER PRODUCERS COORDINATION GROUP;  
CENTRAL ILLINOIS LIGHT COMPANY;  
ILLINOIS POWER COMPANY;  
THE ATTORNEY GENERAL OF THE STATE OF ILLINOIS ON BEHALF OF THE PEOPLE  
OF THE STATE OF ILLINOIS;  
SIEBEN ENERGY ASSOCIATES;  
CMS MARKETING SERVICES AND TRADING;  
MID-AMERICAN ENERGY COMPANY;  
CENTRAL ILLINOIS PUBLIC SERVICE COMPANY;  
UNION ELECTRIC COMPANY;  
THE PEOPLE OF COOK COUNTY;  
UNICOM ENERGY, INC.;

CITY OF CHICAGO; and  
CITIZENS UTILITY BOARD.



NO. \_\_\_\_\_  
IN THE APPELLATE COURT OF ILLINOIS  
FOR THE FOURTH APPELLATE DISTRICT

ENRON ENERGY SERVICES, INC.

:  
: Petition for review of April  
: 27, 2000 Order of Illinois  
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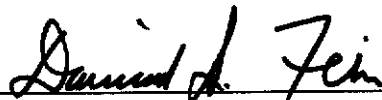
NOTICE OF FILING OF PETITION FOR REVIEW

TO: All Parties on the Attached Service List

BE NOTIFIED THAT pursuant to Supreme Court Rule 335, the attached Petition for Review of Enron Energy Services, Inc. will be filed in the Appellate Court of Illinois, 4th Appellate District, on the 30th day of June, 2000 with respect to the Order entered by the Illinois Commerce Commission on April 27, 2000 in Docket No. 00-0259.

Respectfully submitted,

ENRON ENERGY SERVICES, INC.



Christopher J. Townsend

David I. Fein

Piper Marbury Rudnick & Wolfe  
203 N. LaSalle Street, Suite 1800  
Chicago, Illinois 60601-1293

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

COMMONWEALTH EDISON COMPANY )

)  
)  
) Docket No. 00-0259

)  
) Petition for expedited approval of  
) implementation of a market-based alternative  
) tariff, to become effective on or before May  
) 1, 2000, pursuant to Article IX and Section  
) 16-112 of the Public Utilities Act  
)

**NOTICE OF FILING**

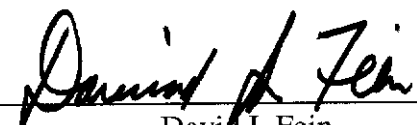
Please take note that on June 30, 2000 we mailed an original and four (4) copies of the Notice of Appeal of Enron Energy Services, Inc. in the above-referenced proceeding to the Chief Clerk of the Illinois Commerce Commission, Donna Caton, 527 E. Capitol Avenue, P.O. Box 19280, Springfield, IL 62794-9280.

Dated: June 30, 2000

  
\_\_\_\_\_  
David I. Fein

**CERTIFICATE OF SERVICE**

I, David I. Fein, certify that copies of the foregoing Notice of Appeal of Enron Energy Services, Inc. were served upon the parties on the attached service list via U.S. Mail and electronic delivery from 203 N. LaSalle Street, Chicago, Illinois 60601 on June 30, 2000.

  
\_\_\_\_\_  
David I. Fein

STATE OF ILLINOIS     )  
                                      ) SS  
COUNTY OF COOK        )

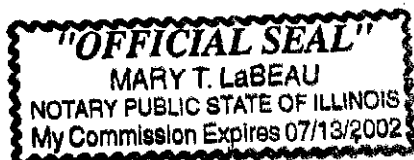
VERIFICATION

David I. Fein, being first duly sworn, on oath deposes and says that he is one of the attorneys for Enron Energy Services, Inc., that he has read the above and foregoing Notice of Appeal, knows of the contents thereof and that the same is true to the best of his knowledge, information and belief.

David I. Fein  
David I. Fein

Subscribed and Sworn to me  
this 30<sup>th</sup> day of June, 2000.

Mary T. LaBeau



**SERVICE LIST**

**DOCKET NO. 00-0259**

Robert P. Jared Regulatory Law & Analysis MidAmerican Energy Company 106 East Second Street P.O. Box 4350 Davenport, Iowa 52808	E. Glenn Rippie Acting Associate General Counsel Commonwealth Edison Company 125 South Clark Street Chicago, IL 60603
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<p>Michael Hastings  Edgar Electric Co-operative Association  d/b/a EnerStar  P.O. Box 3787  Springfield, IL 62708-3787</p>	<p>James Hinchliff  Gerard T. Fox  Mary Klyasheff  Timothy P. Walsh  Peoples Energy Services Corporation  130 E. Randolph Drive - 23<sup>rd</sup> Fl.  Chicago, IL 60601</p>
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<p>Freddi Greenberg  1603 Orrington Avenue  Suite 1050  Evanston, IL 60201</p>	<p>Leijuana Doss  Marie Spicuzza  Assistant State's Attorneys  Environment and Energy Division  69 West Washington, Suite 700  Chicago, IL 60602</p>
<p>Robert Mill  AmerenCIPS  607 East Adams Street  Springfield, IL 62739</p>	<p>Stan Ogden  Central Illinois Light Company  300 Liberty Street  Peoria, IL 61602-1404</p>
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Commissioner Mary Frances Squires Illinois Commerce Commission 160 North LaSalle Street Suite C-800 Chicago, IL 60601	Charles E. Fisher Executive Director Illinois Commerce Commission 160 North LaSalle Street Suite C-800 Chicago, IL 60601
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<p>Sanajo Omoniyi Illinois Commerce Commission 527 East Capitol Avenue Springfield, IL 62794</p>	<p>Frank Bagot Mark Ludwig Dynergy Marking and Trade 1211 West 22<sup>nd</sup> Street Suite 204 Oak Brook, IL 60523</p>
<p>Craig Sieben Sieben Energy Associates 401 North Wabash Avenue Suite 536 Chicago, IL 60611</p>	<p>Michael J. Sheridan CMS Marketing, Services &amp; Trading Co. One Jackson Square Suite 1060 Jackson, MI 49201</p>